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U.S.PTO

Atty Dkt No. 5100-0703.01

PATENT

03917 U.S.PTO  
10/716063

## REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a X continuation   divisional application under 37 C.F.R. 1.53(b)(1), of pending prior application serial no. 09/815,510 filed on March 22, 2001 of Marcel P. Bruchez, Jennifer Lai, Vince Phillips, Andrew R. Watson and Edith Wong for LOOP PROBE HYBRIDIZATION ASSAY FOR POLYNUCLEOTIDE ANALYSIS.

1. X Enclosed is an application filed under 37 C.F.R. 1.53(b)(1). No new matter has been added.
2. X Applicant(s) claim(s) small entity status.
3. X The filing fee is calculated below:

|    |  |                   |
|----|--|-------------------|
| A. | Basic Application Fee  | \$770             |
| B. | Total Claims 8 - 20 = 0  | x \$18 0          |
| C. | Independent Claims 4 - 3 = 1   | x \$86 86         |
| D. | If multiple claims present, add  | \$290 0           |
| E. | Total Application Fee (Total of A, B, C & D)                           | = <u>\$856</u>    |
| F. | If small entity status is claimed, reduce Total Application Fee by 50% | <u>428</u>        |
| G. | Total Fee Due (E - F)  | = <u>\$428.00</u> |

4. X The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
5. X A check to cover the \$428.00 application fee is attached.

6. X Cancel in this application original claims 1-49 and 51 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. X The inventor(s) of the invention being claimed in this application is (are): Marcel P. Bruchez, Jennifer Lai, Vince Phillips, Andrew R. Watson and Edith Wong.
8. \_ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: \*.
9. X Please amend the specification as follows: On page 1, please delete lines 9, 10 and 11 and insert therefor --This application is a continuation of U.S. Patent Application Serial No. 09/815,510, filed March 22, 2001 from which application priority is claimed pursuant to 35 U.S.C. §120, and claims the benefit of Provisional Patent Application Serial No. 60/191,227, filed March 22, 2000 and 60/237,000, filed September 29, 2000, from which priority is claimed under 35 USC §119(e)(1), and which applications are incorporated herein by reference in their entireties.--
10. X The prior application is assigned of record to Quantum Dot Corporation.
11. \_ A preliminary amendment is enclosed.
12. X Also enclosed: Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account.
13. X The power of attorney in the prior application is to Kenneth Barovsky, Reg. No. 36,442; Roberta L. Robins, Reg. No. 33,208 and Dahna S. Paternak, Reg. No. 41,411.
  - a. X The power appears in the original papers in the prior application.
  - b. \* Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c. \* Recognize the following individuals as Associate Attorneys: \*.
  - d. \* Address all future communications to \* at:

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PATENT

Please address all future communications to Roberta L. Robins at Customer No. 20855.

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11/17/03     
(date) \_\_\_\_\_ (Attorney of Record)  
Roberta L. Robins  
Reg. No. 41,411

Address of signator:        filed under § 1.34(a)  
       inventor(s)  
       assignee of complete interest  
X attorney or agent of record

"Express Mail" Mailing Label No. EL985779028US  
Date of Deposit 11/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bruchez et al.

Serial No.: Not Assigned

Group Art Unit: Not Assigned

Filing Date: Herewith

Examiner: Not Assigned

Title: **LOOP PROBE HYBRIDIZATION ASSAY FOR POLYNUCLEOTIDE ANALYSIS**

**BLANKET PETITION FOR EXTENSION OF TIME AND AUTHORIZATION TO CHARGE OR CREDIT DEPOSIT ACCOUNT**

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Commissioner for Patents  
PO Box 1450  
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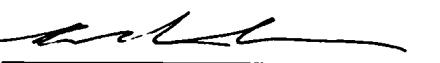
Sir:

If a paper is untimely filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative, the Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

If a paper is concurrently or subsequently filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative and a fee under 37 C.F.R. §§ 1.16-1.17 is required to effect any amendment, petition or other action requested in said paper, the Commissioner is hereby requested to charge any deficiency in said fee, or credit any overpayment of said fee, to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

Respectfully submitted,

Date: 11/17/03

By: 

Roberta L. Robins  
Registration No. 33,208

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